

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Jan 22, 2015

Action Requested By: Engineering

Agenda Type: Resolution

Subject Matter:

Modification No. 1 to Agreement with Johnson & Associates Consulting Engineers, L.L.C.

Exact Wording for the Agenda:

Resolution authorizing the Mayor to modify the agreement with Johnson & Associates Consulting Engineers, L.L.C. for Engineering Construction Administration Services for Church Street Phase II, Project No. 65-05-RD13, by Modification No. 1

Note: If amendment, Please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what council action will provide, allow and accomplish and; any other information that might be helpful.

This modification is for additional engineering services. These services were deemed necessary due to unforeseen construction field changes which required additional surveying and plan sheet modifications for a total modification amount of \$18,000.00. Account No. 23-6500-0813-8103

Associated Cost: \$18,000.00

Budgeted Item: _____

MAYOR RECOMMENDS OR CONCURS: _____

Department Head: Kathy Mora

Date: 1-15-15

JP
pk
TDL

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: Engineering

Council Meeting Date: 1/22/2015

Department Contact: Lynn Majors

Phone # 256-427-5201

Contract or Agreement: Modification No. 1

Document Name: Johnson & Assoc-Church St PH II Mod 1 Project No. 65-05-RD13

City Obligation Amount: \$18,000.00

Total Project Budget: \$92,106.00

Uncommitted Account Balance: 0

Account Number: 23-6500-0813-8103

Procurement Agreements

<u>Not Applicable</u>	<u>Not Applicable</u>
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Grant-Funded Agreements

<u>Select...</u>	Grant Name:
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Department	Signature	Date
1) Originating	<i>Kath. Majors</i>	<i>1-15-15</i>
2) Legal	<i>Mary Cates</i>	<i>1-15-15</i>
3) Finance <i>CC</i>	<i>(Signature)</i>	<i>1/20/15</i>
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 15-

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and is hereby authorized, in Huntsville, Alabama, on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to enter into Modification No. 1 to the Agreement with Johnson & Associates Consulting Engineers, L.L.C., adopted and approved on the 20th day of December, 2012, by the City Council of the City of Huntsville, Alabama by Resolution No. 12-1068, as attached hereto.

BE IT FURTHER RESOLVED that the total contract amount be and hereby is modified from SEVENTY-FOUR THOUSAND ONE HUNDRED SIX AND NO/100 DOLLARS (\$74,106.00) to NINETY-TWO THOUSAND ONE HUNDRED SIX AND NO/100 DOLLARS (\$92,106.00), including this Modification No. 1, an increase of EIGHTEEN THOUSAND AND NO/100 DOLLARS (\$18,000.00). Agreement is substantially in words and figures similar to that document attached hereto and identified as "Modification No. 1 to Agreement between City of Huntsville and Johnson & Associates Consulting Engineers, L.L.C. for Construction Administration Services for Church Street Phase II, Project No. 65-05-RD13, as adopted by Resolution No. 12-1068 of December 20, 2012" consisting of a total of three (3) pages plus three (3) additional pages consisting of Attachment "A", and the date of January 22, 2015, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, and an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 22nd day of January, 2015.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 22nd day of January, 2015.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)
COUNTY OF MADISON)

Modification No. 1 to Agreement between
the City of Huntsville and Johnson &
Associates for Engineering Construction
Administration Services for Church Street
Phase II, Project No. 65-05-RD13, as
adopted by Resolution No. 12-1068 of
December 20, 2012

THIS IS MODIFICATION NO. 1 TO AN AGREEMENT entered in on the 20th day of December, 2012, in the amount of SEVENTY-FOUR THOUSAND ONE HUNDRED SIX AND NO/100 DOLLARS (\$74,106.00). The Original Agreement is hereby amended by Modification No. 1 dated January 22, 2015, in the amount of EIGHTEEN THOUSAND AND NO/100 DOLLARS (\$18,000.00), for a revised contract amount of NINETY-TWO THOUSAND ONE HUNDRED SIX AND NO/100 DOLLARS (\$92,106.00), by and between the City of Huntsville, Alabama, a municipal corporation in the State of Alabama (Owner) and JOHNSON & ASSOCIATES CONSULTING ENGINEERS, L.L.C., (ENGINEER).

WITNESSETH

WHEREAS, the firm identified as the ENGINEER to the Agreement dated December 20, 2012, has proposed a change, identified as Attachment "A" to the Original Agreement. This modification delineates a change for additional engineering services due to unforeseen construction field changes.

WHEREAS, the Owner desires that the contract drawings be altered to be consistent with Attachment "A" hereto.

NOW THEREFORE, in consideration of the mutual covenants set forth herein, the Owner and the ENGINEER agree to the following modifications to the agreement:

1. Johnson & Associates Consulting Engineers, L.L.C. will provide for additional engineering services at a time and materials cost not to exceed EIGHTEEN THOUSAND AND NO/100 DOLLARS (\$18,000.00).

President of the City Council of the City of
Huntsville, AL
Date: January 22, 2015

2. Item #1 shall be performed in accordance with the original agreement dated December 20, 2012, and approved by the City Council by Resolution No. 12-1068, and as described in the letter from Nathan Johnson to Toneka Lindsey, dated September 29, 2014, shown as Attachment "A".
3. The terms of this contract modification and the execution thereof is not in any way to be viewed as a waiver on the part of the Owner of any of its rights pursuant to the Contract.
4. All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, the parties have entered their hands and seals and attest to the same with the signature of the Mayor being the official act of the said municipality in accordance with his duly constituted authority.

THE CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Tommy Battle
Its Mayor

ATTEST:

Charles E. Hagood
City Clerk-Treasurer

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer of the City of Huntsville, a municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, in their capacity as such officers, executed the same with full authority for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the _____ day of _____ 2015.

Notary Public
My Commission Expires: _____

ENGINEER: JOHNSON & ASSOCIATES
CONSULTING ENGINEERS, L.L.C.

By: _____

ATTEST:

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Nathan Johnson, as President, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such officer, executed the same with full authority for and as the act of said Corporation on the day the same bears day.

GIVEN under my hand and official seal this the _____ day of _____ 2015.

Notary Public
My Commission Expires: _____

ATTACHMENT "A"



September 29, 2014

Ms. Toneka Lindsey *TDL*
COH Engineering Department
P.O. Box 308
Huntsville, AL 35804

1-15-15

RE: Church Street Phase II Construction Surveying & Engineering Support
City of Huntsville Project # STPHV8540 (600)
Supplemental Agreement

Dear Ms. Lindsey:

As a result of unforeseen construction field changes resulting in requests for additional surveying and engineering services beyond the scope of our original contract, it is necessary to supplement the budget in the amount of \$18,000.00. This will be necessary to complete the surveying, cross sections, calculations, and plan sheet modifications which you have described in earlier communications.

Feel free to contact us with any questions or concerns.

Sincerely,
Johnson & Associates Consulting Engineers, LLC

Nathan G. Johnson, PE/PLS
President

Attachments

Johnson & Associates, Inc.**PROJECT**

Project: Church Street Phase II

Client: City of Huntsville

DATE: 09/29/14

PREPARED BY: NGJ

ESTIMATING FORM

Construction Staking and Engineering Support for the Church Street Phase II Construction Project

PHASE/TASK

	Rate/Hr	Principal PE/LS \$140	Sr Project Engineer \$115	Survey Manager \$125	Project Engineer \$85	Tech. CADD \$75	Drafting Admin. \$45	Survey 2-MAN \$125	Survey 3-MAN \$160	Total Hours	Labor Cost	Direct Expense	TOTAL FEE
Construction Phase (Hourly)													
Engineering Support during Construction(Walker/Crenshaw/Shadden)			35		48					83	\$8,105	\$30	\$8,135
Construction Staking & Quantity Verification(McPherson/Crenshaw)					25			54		79	\$8,875	\$70	\$8,945
Final Acceptance Phase (Hourly)													
Final Acceptance activities, project records, etc.(Walker/Crenshaw)			8							8	\$920	\$0	\$920
										0	\$0		\$0
										0	\$0		\$0
										0	\$0		\$0
Total Hour		0	43	0	73	0	0	54	0	170			
Total Cost		\$0	\$4,945	\$0	\$6,205	\$0	\$0	\$6,750	\$0		\$17,900	\$100	\$18,000

STANDARD SCHEDULE OF HOURLY FEES

Johnson and Associates, Inc.
Effective Date: January 1, 2012

PERSONNEL DESCRIPTION		HOURLY AMOUNT (\$ Range)
Surveying & Engineering:		
Surveyor I	Survey Technician (Rodman & Instrumentman)	\$40 to \$55
Surveyor II	Survey CAD Technician	\$65
Surveyor III	Junior Party Chief	\$65
Surveyor IV	Senior Survey CAD Technician	\$75
Surveyor V	Senior Party Chief	\$85
Surveyor VI	Senior Project Surveyor	\$105
Surveyor VII	Survey Manager	\$125
Surveyor VIII	Principal Surveyor	\$140

Engineer I	Entry-Level Engineering Intern	\$55
Engineer II	Junior Engineering Intern	\$65
Engineer III	Junior Project Engineer	\$75
Engineer IV	Project Engineer	\$85
Engineer V	Project Design Engineer	\$95
Engineer VI	Senior Project Engineer	\$115
Engineer VII	Senior Managing Engineer/Project Manager	\$125
Engineer VIII	Principal Engineer	\$140

Technical & Inspection:		
Technician I	Engineering CAD Technician Intern	\$45
Technician II	Junior Engineering CAD Technician	\$55
Technician III	Engineering CAD Technician	\$65
Technician IV	Engineering CAD Technician	\$75
Technician V	Senior Engineering CAD Technician	\$85

Inspector I	Junior Construction Inspector	\$70
Inspector II	Senior Construction Inspector, QCP	\$105

Administrative / Secretarial	\$45
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Survey Crew:	
Two-Man Survey Crew	\$125
Three-Man Survey Crew	\$160
Four-Man Survey Crew	\$195

Subcontract Services	Cost Plus 5%
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Direct Expenses	Cost Plus 5%
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These rates will remain in effect through the duration of this contract